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jc857 U.S. PTO

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as attached or enclosed are being deposited with the United States Postal Service on the date set forth below in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, with the below indicated mailing label number, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: February 26, 2002

Don W. Bulson
Don W. Bulson

Mailing Label Number: EF297164172US

jc971 U.S. PTO
10/083041
02/26/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. SCHWP0110USB

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

This is a request for filing a ☐ Continuation/ ☒ Divisional application of pending prior application:

Serial No.: 08/919,454 Filed: August 28, 1997

Applicants: Stefan Vilsmeier

Title: NEURO-NAVIGATION SYSTEM

1. Enclosed is a copy of the prior application, including the oath or declaration, as originally filed.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

2. Amendments

☒ Cancel in this application original claims 1-7 of the prior application before calculating the filing fee.

☐ A preliminary amendment is enclosed.

10083041-022602

3. Small entity status

☒ is claimed.

☐ is not claimed.

4. The filing fee is calculated below.

| | Number Filed | | Number extra | Rate | Fee |
|--|-----------------|-----|-----------------|--------|-----|
| Total claims | 15 | -20 | | x \$18 | |
| Independent claims | 3 | -3 | | x \$84 | |
| Multiple dependent claims (if any) | | | | 280 | |
| Basic Fee | | | | 710 | 740 |
| Total Filing Fee | | | | | 740 |
| 50% reduction for small entity (if applicable) | | | | | 370 |

5. ☒ A check in the amount of \$370.00 is enclosed.

☐ The Commissioner is hereby authorized to charge the filing fee in the amount of to Deposit Account No. 18-0988.

6. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 18-0988.

7. Amend the specification by inserting before the first line the sentence:

This application is a division of application No. 08/919,454, filed on August 28, 1997, now U.S. Patent No. 6,351,659, which is a continuation-in-part of application No. 08/713,212, filed on September 12, 1996, now U.S. Patent No. 5,769,861; and this application is a division of application No. 09/695,130, filed on October 24, 2000, which is a division of application No. 08/919,454, filed on August 28, 1997, now U.S. Patent No. 6,351,659, which is a continuation-in-part of application No. 08/713,212, filed on September 12, 1996, now U.S. Patent No. 5,769,861.

8. Priority of the following application(s) is claimed under 35 USC §119:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Country</u> |
|-------------------|--------------------|----------------|
| 195 36 180.6 | 28 September 1995 | DE |
| 196 39 615.8 | 26 September 1996 | DE |

The certified copy of each above identified priority application(s) has been filed in prior Application Serial No. 08/919,454, filed on August 28, 1997, and in Application Serial No. 08/713,212, filed on September 12, 1996.

9. The prior application is assigned of record to BrainLAB Med. Computersysteme GmbH.

10. ☐ An Information Disclosure Statement is enclosed.

11. The power of attorney in the prior application is to (Attorney, Reg. No.):

Armand P. Boisselle, Reg. No. 22,381; Warren A. Sklar, Reg. No. 26,373;


Don W. Bulson, Reg. No. 28,192

- a. ☒ The power appears in the original papers in the prior application, copy enclosed.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to

Don W. Bulson, Esq.
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 Euclid Avenue, Nineteenth Floor
Cleveland, Ohio 44115-2191

Respectfully submitted,

Date: February 26, 2002


Don W. Bulson
Reg. No. 28,192

☒ Attorney or agent of record
☐ Filed under §1.34(a)

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216/621-1113

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